

REMARKS**Specification**

The specification has been amended to correct clerical errors. No new matter is added to the specification.

Drawings

The Examiner stated, "[f]igures 8, 9 and 10 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated." Office Action at 2, lines 3-4.

The attached sheet of drawings includes changes to Figs. 8, 9 and 10. This sheet, including Figs. 1 - 10, replaces the original sheet including Figs. 1 - 10. In Figs. 8, 9 and 10, Applicant adds a legend "Prior Art" as requested by the Examiner.

Claims

Claims 4 and 5 have been canceled. Claims 26-29 have been added. Thus, claims 1-3 and 6-29 are pending in this application. The Examiner acknowledged that claims 4 and 11 are directed to allowable subject matter. Claims 6-10 and 20-21 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite. Claims 1, 3, and 13 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP 4-317,427 or JP 6-271,323. Claims 1, 3, 5, 13-14, 16-19 and 22-25 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP 7-172,845. Claims 2 and 12 stand rejected under 35 U.S.C. §103(a) as being obvious over JP 4-317,427 or JP 6-271,323. Further, claims 2 and 15 stand rejected under 35 U.S.C. §103(a) as being obvious over JP 7-172,845. However, Applicant believes that the rejection of claims 1-3, 6-10 and 12-26 will be overcome for following reasons.

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Rejection under 35 U.S.C. §112, second paragraph

Claims 6-10 and 20-21 have been amended to identify where the supply port(s) is/are located, to respond to the Examiner's suggestion on page 2 of the Office Action, lines 15-18, to improve grammar and to remove redundant phrases. No new matter is added to the claims. Thus, Applicant believes the rejection of claims 6-10 and 20-21 under 35 U.S.C. §112, second paragraph should be withdrawn.

Rejection under 35 U.S.C. §102(b)

Claim 1 has been amended to clarify that "the molding die" comprises "a supply port that supplies a pressure-transfer medium located on one of an inner surface of the holding member and an outer surface of the pair of molding die members", and "the inner surface of the holding member and the outer surface of the pair of molding die members are separated by a clearance."

The Examiner stated, "[e]ither of references [JP 4-317,427 and JP 6-271,323,] discloses all that is recited in the [claim 1]." Office Action at 3, line 3. However, both of JP 4-317,427 and JP 6-271,323 do not describe or suggest "a supply port that supplies a pressure-transfer medium located on one of an inner surface of the holding member and an outer surface of the pair of molding die members." Claim 1. Thus, Applicant believes the claim 1 is not anticipated by, nor is obvious over JP 4-317, 427 and/or JP 6-271,323.

Further, the Examiner stated, "[t]his reference [JP 7-172,845,] discloses all that is recited in the [claim 1]." Office Action at 3, line 19. However, JP 7-172,845 does not describe or suggest both of "a supply port that supplies a pressure-transfer medium located on one of an inner surface of the holding member and an outer surface of the pair of molding die members", and "the inner surface of the holding member and the outer surface of the pair of molding die members are separated by a clearance." Claim 1. Figure of JP 7-172,845 discloses only a

coolant gas path 7, which is not a supply port that supplies a pressure-transfer medium of claim 1.

Thus, Applicant believes the claim 1 is not anticipated by, nor is obvious over JP 7-172,845.

Because claim 14 is directed to a molding apparatus using the molding die of allowable claim 1, the rejection of claim 14 should be withdrawn. Further, because claims 1 and 14 are allowable, the rejection of dependent claims 3, 13, 16-19 and 22-25 should be withdrawn. The amendments of claims 2, 11, 12, 15, 17-19 and 22-24 make clear the invention, do not narrow the scope of the claims, and include no new matter.

Rejection under 35 U.S.C. §103(a)

The Examiner rejected claims 2, 12, and 15 under 35 U.S.C. §103(a). However, the Examiner did not support the rejection with evidence, but relied on the knowledge of one of ordinary skill in the art performing "routine experimentation" to make the claimed range in claims 2 and 15 obvious and selecting a ceramic material for the composition in claim 12. Office Action at 5.

First, Applicant submits that because claims 2, 12, and 15 depend from allowable claims 1 and 14 as discussed above, they are allowable for at least the same reasons.

Second, Applicant respectfully traverses the Examiner's assertion that the claims 2, 12, and 15 are obvious because of common knowledge of one of ordinary skill in the art at the time the invention. MPEP §2144.03. With regard to claim 12, Applicant believes that choosing a ceramic material as a material for "at least one of the pair of molding die members or the holding member" would not have been obvious to one having ordinary skill in the art at the time of the invention.

With regard to claims 2 and 15, such "routine experimentation," as the Examiner suggests that one of ordinary skill in the art would have performed, would only arrive at the recited range if the clearance was filled with a pressure-transfer medium. Because none of the cited references

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disclose, teach, or suggest filling any existing clearance between a pair of die members and the holding member with a pressure-transfer medium, such routine experimentation is not taught or suggested. Moreover, the Examiner has not shown that the prior art even recognized any existing clearance between a pair of die members and a holding member a variable to optimize for improving the positioning accuracy of the molding die members. Thus there is no suggestion or motivation to make the clearance of the recited range of claims 2 and 15. MPEP §§ 2143.01, 2144.05 II. B.

Without a suggestion or motivation in the cited references or in the knowledge generally available to one of ordinary skill in the art to modify the reference, the Examiner has not met the basic requirements of a prima facie case of obviousness, and Applicant respectfully submits the rejection should be withdrawn. MPEP §2143.

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and that a timely Notice of Allowance be issued in this case.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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